## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEVAR LEE ANTHONY SPENCE, :

Petitioner, : 1:17-cv-0881

:

v. : Hon. John E. Jones III

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RICHARD K. RENN, et al.,

Respondents.

## **ORDER**

## May 22, 2017

NOW THEREFORE, upon consideration of the Amended Petition for Writ of Habeas Corpus (Doc. 9) pursuant to 28 U.S.C. § 2254, and for the reasons set forth in the Court's Memorandum of the same date, it is hereby ORDERED that:

- 1. This matter is STAYED pending further order of court.
- 2. Within sixty (60) days of the date on which Petitioner's state court direct appeal and collateral proceedings conclude, Petitioner shall FILE in federal court a notice apprising the Court of the completion date of state court proceedings and whether he intends on pursing his federal habeas petition.
- 3. Failure to comply with the time requirements set forth in paragraph 2 will result in the stay being vacated *nunc pro tunc*. *Crews*, 360 F.3d at 154 (citing *Zarvela v. Artuz*, 254 F.3d 374, 380 (2nd Cir. 2001).
- 4. The Clerk of Court is directed to ADMINISTRATIVELY CLOSE this matter.

s/ John E. Jones IIIJohn E. Jones IIIUnited States District Judge